

THE CASE THAT TOLD

The cross-examination of Magoon in the Parker ranch case brought quite a gallery to Judge Lindsay's court room yesterday. The proceedings were highly entertaining, the first item of interest being Kinney's request for the production of Low's letter to Hind, Ralph & Co. which had been referred to on Saturday. Magoon made strenuous objection to bringing it forth until such time as Low should be on the stand to explain it, but the court ruled otherwise, and the letter was produced. It bore date of October 29, 1904, and was evidently in reply to a letter calling down the "next friend" for participating in the case.

Low defends himself vigorously, and incidentally throws some light on how he came to start the litigation. Some of the more interesting statements in the letter are as follows:

"I was exceedingly surprised at Mr. John Hind and yourselves being dumfounded over my explanation of the 'Parker' case, as I certainly showed that I considered his and your interests as well as the interests of this agency before I ventured to proceed in the case. I enclose herewith for your perusal certified copies of letters passing between Mr. John Hind and Mr. J. T. McCrosson, contents of which I hope will relieve the dumfounded feelings of Mr. John Hind and yourselves. The mention I made of my intention to pay this agency a portion of all and any remuneration I may receive from the courts in representing the minor in these proceedings, was not given as a reason for my having entered into this litigation for your behalf, but was directed to you in answer to your statements. I wish to add further in regard to the 'Parker' case, that while I personally undertook to protect the interests of the minor in this case as her next friend, at the urgent solicitation of those interested in the Hamakua Ditch Co., I want you to thoroughly understand that I am not misrepresenting myself in any dishonest way in the presentation of this suit. It is my feeling at heart to see that this minor child, who is a blood relative of mine, is not robbed of a single cent by anyone. Now that I am in it, I will have to see the finish, as I am no quitter and do not wish to impress the public that I was not sincere in my actions. As to what little prominence has been given you and the criticisms cast upon you, I can only attribute same to the 'dirty' methods of pleading for which Mr. Kinney is noted, but all of which have been specifically denied by counter affidavits filed in my behalf."

The last sheet of the letter had been cut in two. Magoon stated that the remainder was private and immaterial, but Judge Lindsay requested him to produce it for the inspection of the court.

The McCrosson-Hind letters referred to were no longer in Low's possession, but Magoon had read them, and Kinney examined him at length as to what was in them. It appeared that McCrosson had written to Hind that suit was to be brought to remove Carter, Eben Low having quoted Judge Dole as authority that this could be done under certain circumstances. Hind was asked to contribute his share of the expense, and to consent that Jack Low should act as plaintiff, he being a relative of the minor. It was Hind's letter of acquiescence that Low had sent to San Francisco as a justification of his action. Magoon was uncertain as to details, for though the correspondence had been brought to his attention at the time of the Ballou libel suit, he had not asked for the letters, nor did he want to see them.

Magoon thought that these letters contained the first intimation he had had that John Hind was in any way connected with the ditch company, but upon being shown the counter-affidavit he had prepared for Low his recollection was refreshed, as the matter was referred to therein.

Kinney then took up that portion of Sam Parker's affidavit which purported to tell all the conspiring and co-operating that Parker had done. He pressed the witness closely as to why no mention had been made of the promise to stand good for the thousand dollar fee. Magoon insisted that the statement that Parker expected to be called and testify and to do all that he could to aid in the suit fully covered the point.

Kinney further questioned the ingenuousness of the statement in Jack Low's affidavit, following Magoon's reluctance to take the case, that after deponent (Low) had fully explained the matter, Magoon finally consented. The witness explained that this was strictly true in point of time and was not intended to convey the impression of cause and effect. He admitted that after all Low's explanation he was still obdurate, and that the efficient intervening cause was Parker's request backed by his promise of the fee.

After the noon recess Magoon asked permission to withdraw temporarily and to put on John Austin of the Experiment Station. His testimony came like an intermezzo between two acts of melodrama. Once more the court wandered amid the peaceful pursuits of agriculture, where corn and pigs brought forth according to their kind. Breaking land at Waimea was very expensive and pork worms were very uncertain, but whenever the witness approached the border line of testifying as to net profits he was shut off by objections from the vigilant Kinney.

When the legal battle was resumed Kinney returned once more to the injunction that was sought from Gear. He seemed interested in Magoon's contention that though Carter could still come back on the ranch as guardian, Sam Parker would then be in full possession as surviving partner. He inquired anxiously as to what the next move was then to be, but Magoon was busy on that point, as he had expected the Metropolitan Meat Co. suit to settle the vexed question of the rights of the surviving partner.

Kinney asked once more for the assurance that it was for the minor's

best interests to turn the whole ranch over to Sam Parker, and then went into past history when Magoon's opinion of his client had been different. He recalled some of Magoon's attempts to put Sam into bankruptcy, and suits brought by Magoon to collect bills. "As a matter of fact, isn't Sam Parker irresponsible in financial matters?" asked Kinney.

"He has the reputation of spending money very rapidly and profusely, may say lavishly," was the reply.

"And to his embarrassment when it comes to pay," added Kinney.

"Yes, I believe so," said Magoon.

Magoon confirmed the fact that Sam Parker had served him notice that he had quit on the present suit. After the application to the court Wendenberg had said that he supposed he would have to put up the costs, but Magoon understood that he was speaking as Parker's trustee and that the expenses were still being charged to Parker.

VOLCANO THE ATTRACTION

Promotion Committee, returned Saturday, H. P. Wood, secretary of the Hawaii day on the Kinaiu from a trip to the Volcano, and is now prepared to commend that trip to every tourist who comes to Honolulu.

Secretary Wood will take care to inform the traveling public that when they are in search of some novel place to enjoy a meal cooked in one of the most unique methods known to modern cookery, the volcano of Kilauea is the place to visit.

The day that Mr. Wood went down to the crater of Halemaumau, he was accompanied by George Lycurgus, mine host at the Volcano House. George lugged along a hamper containing steaks, bacon, eggs, coffee, a coffee pot, a skillet, bread and butter, and other ingredients to start up a good meal. After viewing the crater, which Mr. Wood found was one of the most impressive of natural sights, the party gathered about a hot crevice in the lava floor. The coffee pot was placed over the crack and the water was soon boiling merrily. The skillet was likewise put there, bacon sputtered as soon as laid in the pan, and in a short time the steak was being cooked to a nice turn. George personally acting as chef. The rest of the party sat around on lava hummocks watching the interesting and appetizing process, and then enjoyed the novelty of eating a meal cooked by heat from a real, live volcano.

"The Volcano House is splendidly kept, the rooms are clean and the table is excellent," said Mr. Wood yesterday.

Lycurgus raises all his own vegetables and he supplies them in great quantities to the table. It is an attractive place, and the whole trip is one that no one should miss. It is the greatest attraction that Hawaii has to offer to the tourist.

"I had a delightful trip to the Volcano," said Mr. Wood. "I was much pleased with the steamer Kinaiu. She has been remodeled and is a sturdy vessel, and as well managed as any of the big liners. She is kept clean and the table service is fine."

"Hilo is an attractive little town, and much improved since I was there last. The most beautiful thing there is the 'Rainbow Falls.' I understand the citizens are arranging to have the falls and adjacent land set apart as a public park, which is an excellent plan."

"I realize more than ever before how attractive the islands are to tourists. We have a delightful climate in California, but it is no such climate as Hawaii possesses. In the interior of California it is extremely hot, but on the coast in summer it is cool and pleasant, but there are times when light clothing can not be worn. The mornings and evenings in Hawaii are delightful and there is no comparison with other places."

"I believe that the climatic conditions of these islands will result in a largely increased travel this way. There is to be an almost unprecedented travel to California this winter. That means that many will want to go a little further. Those who have been here will spread the information, among their friends that Hawaii is well worth visiting."

"Travel to Honolulu would materially increase if you had the proper transportation facilities. What is needed is another local steamer in addition to the Alameda, so that people making up their minds at the eleventh hour could find accommodations thereon without difficulty. I believe then that the hotels would always be full. It would also be found then that the Alexander Young Hotel is not so far ahead of the times after all."

HAMILTON PLEADS GUILTY IN PART

Corporal Charles Hamilton, one of the former Camp McKinley soldiers caught in a gold coin counterfeiting scheme, made a brave start in his defense without a lawyer in the Federal court yesterday forenoon. He broke down at noon recess, however, for when the trial was resumed at 2 p. m., J. J. Dunne, U. S. Assistant District Attorney, stated that the defendant had decided to plead guilty to the second count and that the prosecution would enter a nolle prosequi on the first count. This procedure ensued and Judge Dole set the sentence under the plea of guilty for Monday next. The first count was for making the spurious coin, the second for putting it in circulation.

The jury relieved by the course of events just related from considering a verdict consisted of E. M. Boyd, C. B. Wilson, Geo. P. Castle, Chas. E. Frasher, E. N. Holmes, C. S. Crane, Allen Walker, John Coffee, Jules Dudoit, James Gough, Arch. J. Smithies and W. B. Harrub.

Wm. R. Bolton will be put on trial this morning for passing the counterfeit money.

EVERYBODY WILL SOON BE TALKING ABOUT CHICKENS

The Hawaiian Poultry Association will hold their first annual exhibition on December 7, 8 and 9.

The premises on Merchant street, recently occupied by the Herriek Carriage Company, have been leased for a show hall which will be large, convenient and well-lighted. There is sufficient room to accommodate all the entries that are likely to be received.

All indications point to a successful exhibit and the largest of its kind ever held in the Hawaiian Islands.

The Hawaiian Poultry Association will own its own exhibition coops. The judging will be done promptly and by expert judges.

A cordial invitation is extended to all fanciers of poultry to exhibit.

All premiums, special and general, are open to the competition of the world, except club and specials, as elsewhere noted.

The exhibition is open for competition of feathered stock exclusively.

All Association premiums will be awarded immediately after the completion of judging.

Winners of specials offered by others will receive same or orders therefor from the secretary as soon after the awards are made as possible.

Entries will positively close on Dec. 5 at 5 p. m., but should be sent in as early as possible.

The entry fee for poultry is \$1.00 for single specimens; pairs, \$1.25; trios, \$1.50; breeding pens, \$2.00; pigeons, \$1.00 per pair; single birds, 50 cents.

All entries must be made on blanks furnished by the secretary, and all entry fees paid in full at the time entry is made. Charges must be prepaid and birds entered at risk of owner. A competent superintendent will be placed in charge and stock will be fed and properly cared for. No specimens will be allowed in the exhibition except those that have been duly entered on the books of the association and the entry fee paid.

Each specimen competing for a prize must be entered in the name of the actual owner. Any attempt to evade this rule will exclude all coops entered by the offending party.

Should birds be entered and for any reason not shown, the fees for same

shall be forfeited to the association.

All entries must occupy coops furnished by the association, and all eggs laid during the exhibition will be gathered and the vitality destroyed.

Exhibitors whose fee for entry amounts to \$3.00 or more will be furnished with a season admission ticket—not transferable.

The entry fee includes entry for all association and special premiums, coop fees, care and feeding during the exhibit. Exhibitors need not necessarily accompany their entries, but provision must be made for return charges at the close of the exhibit.

No names, distinctive marks or decorations will be allowed on coops until after the judging in the class has been finished. No person shall attempt to interfere with or influence the judges in their decisions by letter or otherwise, any exhibitor interfering with the judges in the discharge of their duties or informing the judges as to the identity of any specimen shall forfeit all rights he may have in the awards of premiums.

The prizes are to consist of: First, blue; second, red; third, pink; fourth, yellow ribbon, accompanied by a diploma issued and signed by the president and secretary of the association. Ribbons will be attached to the successful entries immediately following the judging of the same and must there remain until the close of the exhibit for the enlightenment of visitors.

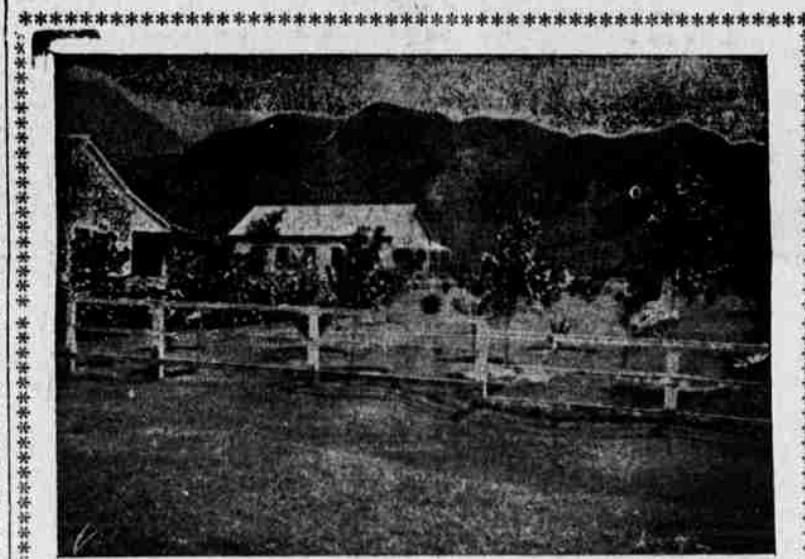
The decision of the judges shall be final.

A breeding pen shall consist of one male and four females. Judging will commence at 8 a. m. of the day of the opening. Birds shipped from a distance, that is to say from the neighboring islands, will be allowed credit for weight, viz: 1/4 of a pound.

The exhibition hall will be open for the reception of exhibits at 9 a. m. the day previous to the exhibition. Poultry showing symptoms of disease when received or during the exhibition will be immediately taken from the hall and cared for and the owner notified or his birds returned to him.

The association will not be responsible for loss by fire or otherwise, but

SCHOOL ARBORICULTURE ON ISLAND OF KAUAI



HANALEI SCHOOL GROUNDS.



YOUNG TREES AT HANALEI SCHOOL.

Ralph S. Hosmer, Superintendent of Forestry, while on his recent visit to Kauai took kodak photographs of the school premises at Hanalei, Kauai, which are reproduced herewith by the Advertiser staff artist. They represent two views of the cultivation of trees and shrubs begun under the principalship of James C. Davis at that school in 1898 and passed on to his successor two years ago.

This demonstration of school arboriculture Mr. Hosmer regards as a good object lesson to arouse emulation in connection with the approaching Arbor Day. The trees planted were chiefly kamani, palms and golden shower. Certain trees were allotted to each class and, so far as possible, each child had a tree to tend. Similar work was started at Haena and Kilauea schools on the same island.

There was in fact an organization of teachers on the "Garden Isle," which included the veteran dominie, John Bush, for promoting the cultivation of trees upon school premises. Weekly meetings were held. After a tree planting frolic any surplus of seedlings on hand was distributed among the neighbors. For the initial planting the young trees were obtained from the Government Nursery in Honolulu, but latterly the organization had a nursery of its own established from which the material for recent plantings has been derived. Most of the planting is done in November, so as to catch the winter rains, instead of in the spring as on the mainland. For the same reason Arbor Day for the Territory has been made November 3 this year.

will exercise all reasonable care of the exhibits.

Fowls on exhibition will be in the exclusive custody of the superintendent from the time they reach the exhibition hall until the show closes, and can not be removed from the hall or from one coop to another without permission of the exhibition committee.

The divisions and classes are as follows:

First Division.

Class 1, American—White, Buff, Barred and Pen-combed Barred Plymouth Rocks; Silver, White, Buff, Silver Pencilled, Golden and Partridge Wyandottes; American Dominiques, Black, Mottled and White Javes; S. C. and R. C. Rhode Island Reds.

Class 2, Asiatics—Light, Buff and Dark Brahmas; White, Buff, Partridge and Black Cochins; White and Black Langshans.

Class 3, Mediterraneans—White faced Black Spanish; R. C. and S. C. White, Brown, S. C. Black, Buff, Duckwing and Dominique Leghorns, White and Black Minorcas and Andalusians.

Class 4, Polish—White-Crested Black, White-Crested White, Golden Spangled, Silver, Golden and White Bearded, and Buff Laced.

Class 5, Hamburgs—Golden and Silver Spangled; Golden and Silver Pencilled, Black and White Hamburgs; Red Caps, Golden and Silver Campines.

Class 6, French—Houdans; Crevecoeurs; La Fleche and Faverolles.

Class 7, English—White, Silver Gray and Colored Dorkings; Black, Buff, Diamond Jubilee, Spangled and White Orpingtons.

Class 8, Exhibition Games—Black-breasted Red; Brown Red; Golden and Silver Duckwing; Red Pyle; Black and Birchen Games; Cornish Indian Games.

Second Division.

Class 10, Bantams—Black-breasted Red Game; Brown Red Game; Golden Duckwing Game; Silver Duckwing Game; Red Pyle Game; White Game; Black Game; Golden Seabright; Silver Seabright; White Rose Combed; Japan, White Crested; White Polish; White and Black African, Buff, White and Black Cochins, Light Brahmas.

Class 11, Turkeys—Bronze; Narragansett; Buff; Slate; White; Black.

Class 12, Ducks—Pekin; Aylesbury; Rouen; Cayuga; Colored and White Muscovy; Gray and White Call; Black East Indian; Crested White, Indian Runner.

Class 13, Geese—Toulouse; Embden; African; Brown and White China; Wild and Egyptian.

Class 14, Pigeons—Carriers, Pouters, Tumblers, Dragoons, Barbs, Jacobins, Antwerps, Homers, Turbits, Owls, Fancys, Trumpeters, Runts, Hens or Bunnies, Nuns, Any Other Variety.

Third Division.

Class—Capons, Dressed Poultry, Eggs.

FATHER OF MISS TEUIRA HENRY DEAD

Rev. Isaac Henry, one of the best-known divines in Tahiti, and father of Miss Teuira Henry, until recently a teacher in the Honolulu public school department, died at Papeete, Tahiti, on September 8.

He was the son of a pioneer missionary of French Oceania, who reached Tahiti from England in 1797. Among his surviving sons is Rev. John Henry of San Francisco, who was present at his death, and who made a few remarks at his funeral.

The deceased was well known all over the South Sea Islands. His funeral was a large one and the pall-bearers were mostly members of the diplomatic service.

Miss Henry left Honolulu some time ago to visit her father, who was then in failing health. She arrived too late to see him in life.

The deceased was the brother of Mrs. Wendenburg, mother of Fred Wendenburg of Honolulu, and also brother of Mrs. J. H. Smith, mother of Mrs. George J. Ross of College Hills. A surviving brother, Philip Henry, resides in Sydney, New South Wales. He was in the banking business until recently, having retired. Rev. Isaac Henry was 83 years of age at the time of his death.

Miss Teuira Henry is engaged in writing a book on the Society Islands, and is said to have arranged for its publication. It will be an exhaustive study of the French Islands and will be valuable from a historical standpoint.

Doctors, lawyers, ministers, bankers, merchants, business men everywhere, all rely upon Ayer's Cherry Pectoral, whenever they have a cough or a cold. They keep it on hand, at their home, at their place of business. They carry it with them when they travel. They say there is nothing so bad for a cough as coughing, and there is nothing so good for a cough as



Ayer's Cherry Pectoral

It is the best remedy in the world for coughs, colds, croup, whooping-cough, influenza, and all throat and lung troubles.

There are many substitutes and imitations. Beware of them and of so-called "Genuine Cherry Pectoral." Be sure you get AYER'S Cherry Pectoral.

Put up in large and small bottles.

Prepared by Dr. J. C. Ayer & Co., Lowell, Mass., U. S. A.

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PROGRESS AT KAHAIKI

Kahaiiki bluff is an active site nowadays with contractor's men working on the excavations for the buildings which are to be reared for Uncle Sam's newest army post.

The big concrete-mixing machine and the distributor are in place, the endless belt was adjusted yesterday, the stationary engine is ready for firing-up, and in a few days, concrete will be turned out into carts and dumped into the excavations already prepared. On these foundations will be raised the wooden buildings for barracks, officers' quarters, quartermaster's offices, storehouses and stables, the administration building, guardhouse, non-commissioned officers' houses and the big hospital.

The contractor has already erected his office and tool house. Flags and stakes mark the lines where the buildings are to be erected. When finished the living quarters will face on an open space somewhat in the form of an ellipse, and this space will be the parade ground. It will be wide and what is especially favorable for drill and parade purposes, it will be level. The ellipse will open out on the Moanalua road. A view is obtained from the parade ground of Kalihi bay and Moanalua, though but little of Honolulu proper is to be seen. The summit of Diamond Head rises in the distance.

The contractor's office is equipped with a flagstaff, upon which are suspended white and red flags, according to a code arranged between Mr. Burrell and his foremen. A large triangle near the flagstaff is also used to notify men working in the vicinity if their presence is desired at any time. Owing to the distance at which some men work from the office and their inability to hear the triangle owing to the direction of the wind, flags are used to signal orders. A red flag above a white one means lunch-time.

All the new army post buildings, save the hospital, will be located on the grounds mauka of the government road. The hospital will be erected on the makai side, the entrances to each being directly opposite.

The Rapid Transit car line runs to the foot of the Kahaiiki bluff at present, and in time it will probably be extended to the post entrances. At present it takes just seventeen minutes on the Rapid Transit line to go from Fort Street to the car terminus.

Big piles of lumber are already on the grounds, lately received from Puget Sound.

THE WRIT IS REFUSED

Judge De Bolt sustained the demurrer of Deputy Attorney General Peters to the petition of Wong Lung for a writ of habeas corpus, and remanded the petitioner to the custody of the high sheriff. L. M. Straus was counsel for petitioner, who tried to get out of prison on the ground that there is no law in this Territory against the receiving of stolen goods.

CRIMINAL TRIAL.

Judge Robinson yesterday resumed the trial of Yumokichi and two others for having che-fa tickets in possession. A jury was drawn Thursday before last and the case continued, owing to Deputy Attorney General Fleming's departure for Kauai, until the following Monday, when another continuance took place on account of the Judge's illness.

EQUITY AND PROBATE.

Judge Robinson confirmed the sale by Jas. F. Morgan for M. T. Simonson, commissioner, in the suit of J. F. Hackfeld vs. C. S. Desky, trustee, and W. Wolters, for \$3000. He also entered a deficiency judgment for \$3080.21, with 6 per cent interest from October 28, 1905, against defendant Desky. Judge Robinson admitted the will of Annie Bessing to probate, appointing Lilla Souza executrix. The estate is real property at Kahala valued at \$1000.

OLD POINT REVIVED.

A question decided one way by Judge De Bolt and another way by Judge Robinson came up again before the latter yesterday. J. W. Cathcart, counsel for Takata, interposed a demurrer to the indictment against the description of the accused, "whose true name is to the grand jurors unknown." Judge De Bolt quashed an indictment on this point, while Judge Robinson sustained the Jones murder indictment thereon. Since Judge De Bolt's decision, the Attorney General's Department has fought shy of the phrase.

DIVORCE CASES.

Chan Ah Fun brings a libel in divorce against Mak Yau Kwi, also known as Mak Yuen Kwi, a Chinaman, on the ground of extreme cruelty. She says his conduct toward her has been so outrageous as to compel her to seek refuge with the Salvation Army people. They were married on March 27, 1899, by the late Dr. Hyde. Caroline Kanikau sues George Kanikau for divorce on the ground of his deportation to Molokai. They were married at Kailua, S. F. C., on July 12, 1895, by Judge T. J. Wright.

On Saturday evening the Republican Central Committee will meet at headquarters, Fort street, at which time the report of the committee, composed of F. T. P. Waterhouse, John C. Lane and John Hughes, on revision of party rules and regulations, will be presented. It is said that a minority report will be presented by Lane.

Some of the people on Maui are undecided whether a new courthouse should be built at Paia or Makawao. At present the seat of justice is at Makawao, but most of the cases come from the neighborhood of Paia. An effort is being made on Maui to get a definite opinion from those interested, as to the desirability of the two sites.